

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2865 of 2015

Arising Out of PS.Case No. -118 Year- 2013 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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RANJIT KUMAR @ RANJEET KUMAR SON OF KAILASH BHAGAT
RESIDENT OF VILLAGE BHIKANPUR, P.S. AHYAPUR, DISTRICT -
MUZAFFARPUR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Surya Kant Mishra, Adv.

For the Opposite Party/s : Mr. Manish Kumar No.2, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 23-04-2015

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

While a goldsmith, after closing his shop was in a way to his house along with cash, ornaments, was intercepted by the criminals who, after shooting snatched away the bag containing the aforesaid items.

Learned counsel for the petitioner submits that absolutely there happens to be absence of cogent, reliable, connecting evidence so far, collected by the Investigating Officer during course of investigation and that being so, it is a fit case for grant of anticipatory bail. It has also been submitted that petitioner has got no criminal antecedent which also happens to be an additional ground on that very score. It has also been submitted

that one of the co-accused, namely, Jai Chandra Ram had already been granted anticipatory bail vide Cr. Misc. No.3067 of 2014.

The learned Additional Public Prosecutor opposed the prayer.

One Rajesh Kumar @ Ajit Kumar was apprehended in connection with Madhuban P.S. Case No.104 of 2013 who, during course of interrogation gave elaborate detail disclosing his acumen in the field of criminality whereunder he also shown his involvement in the occurrence alleged and further, disclosed that after snatching the ornaments, he took the booty to Amar Kumar of Meenapur and Ranjeet Kumar of Bhikhanpura, Ahiyapur. The aforesaid inculpatory extra judicial confessional statement was transmitted to the Investigating Officer of the present case as is evident from para-32 of the case diary and consequent thereupon police swung into action, conducted raid and apprehended Amar Kumar @ Munna as is evident from para-39 of the case diary. From his inculpatory confessional statement there also happens to be presence of petitioner who actively involved and acted as middleman in getting the booty disposed of. Subsequently thereof, as pointed out by the Amar Kumar, raid was conducted at the shop of Surji Sah, having name and style Satendra Jewellers and at the time of conduction of raid Pramod, son of Surji was commanding

the counter who was also apprehended and further, the booty in terms of seizure list were recovered from the shop. Again there happens to be inculpatory extra judicial confessional statement of Pramod Kumar wherein there happens to be presence of petitioner who acted as a middleman during course of negotiation.

To appreciate the submission made on behalf of petitioner that co-accused Jaichand Ram, standing on the similar footing had already been granted anticipatory bail, I have made cautious scrutiny of the aforesaid statement wherefrom it is apparent that there happens to be complete absence of Jai Chand Ram during aforesaid eventualities and that being so, the case of the petitioner does not fall in similarity.

Prayer for anticipatory bail is rejected.

(Aditya Kumar Trivedi, J.)

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